

REMARKS

Applicants have cancelled all claims on file, without prejudice, and substituted claim 31 for examination and allowance.

Applicants believe claim 31 is allowable over the cited art. In particular, claim 31 recites in a communication system, a method to comprise a step of determining traffic to pilot channel power ratio of a traffic channel for communication between a mobile station and a base station. Note, the traffic to pilot channel power ratio is determined based on communications of said traffic channel. A duty cycle of data frame transmissions of a dedicated control channel is determined. The dedicated control channel is associated with said traffic channel, and is for maintaining communications of said traffic channel. The duty cycle of data frame transmissions is based on the possible number of frame transmissions over a period of time. The cited art does not state nor teaches that the duty cycle is a duty cycle of data frame transmissions. Moreover, the traffic to pilot channel power ratio is adjusted based on the determined duty cycle. The traffic to pilot channel power ratio is the one determined for the traffic channel; here, as claimed in claim 31, the traffic to pilot channel power ratio determined for the traffic channel is adjusted based on the determined duty cycle of the dedicated control channel to produce the adjusted traffic to pilot channel power ratio. Additionally, the communication of the traffic channel is in accordance with the determined traffic to pilot channel power ratio, and the dedicated control channel is in accordance with the adjusted traffic to pilot channel power ratio. The cited art does not state nor teaches each and every element of the claim 31. Therefore, claim 31 is allowable over the cited art.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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By: 

S. Hossain Beladi, Reg. No. 42,311
(858) 651-4470

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 658-5787
Facsimile: (858) 658-2502